

67.167-009

REMARKS

Applicant has amended this application in response to the office action. The independent claims 1 and 8 are patentable over the Tokarz reference for several reasons. First, the claims all relate to a lever for a door. Tokarz is a faucet handle. This limitation is not simply a part of the preamble, but rather is referred back to in the body of the claim. As an example, claim 1 and claim 8 both require that there be a shank to be attached to a door. Tokarz cannot meet this limitation.

The examiner argues that Tokarz can be modified by the Shaw reference to have a cover outside its bolt head. However, and in particular with regard to the new claims 10 and 11, the cap of Shaw is simply decorative, whereas the cap as required by the claims 10 and 11, is threaded onto the bolt, and thus cannot be met by the Tokarz reference modified by Shaw.

Further, claim 4 and claim 9 both require that a bore for the bolt is relatively small such that the contact surface between the shank and the handle is greater than twice the area of the bore. It would appear from the cross-sectional Figure 4 of Tokarz that the same is not true, nor close. The bore in Tokarz is quite large. Moreover, this same bore refutes the examiner's position that the handle of Tokarz could be formed of crystal. It is not believed the shape shown in Figure 4 of Tokarz would be made by a fragile material like crystal. Again, it is the main goal of the present application to provide a cantilever-type handle that can be formed of a fragile material. Tokarz is not formed of a fragile material, as can be appreciated from Figure 4, and the large opening 38, or from Figure 8 wherein the same portion is formed to be threaded.

67,167-009

The question is not whether crystal is known for use as a door handle. It is known for this use, and applicant admitted as much. The question here is whether there is a suggestion that the Tokarz handle be made of crystal. Clearly, there is no such suggestion.

For the reasons set forth above, all claim are allowable. An indication of such is earnest solicited.

Respectfully submitted,

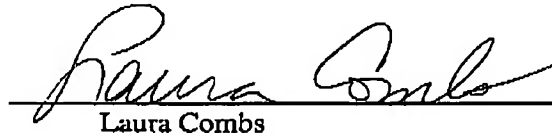


Theodore W. Olds, Reg. No. 33,080
Carlson, Gaskey & Olds
400 W. Maple Road, Ste. 350
Birmingham, MI 48009
(248) 988-8360

Dated: December 21, 2004

CERTIFICATE OF TRANSMISSION UNDER 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States patent and Trademark Office, fax number (703) 872-9306, on December 21, 2004.


Laura Combs